

April 2003



Arizona State Board of Pharmacy

4425 W Olive Ave, Suite 140, Glendale, AZ 85302-3844
Web site: www.pharmacy.state.az.us
E-mail: vsevilla@azsbp.com

Published to promote voluntary compliance of pharmacy and drug law.

Arizona Board of Pharmacy Celebrates 100 Years

April 28, 1903, marked the first meeting of the Arizona Board of Pharmacy. On this historic date, the Board members appointed by Governor Alexander O. Brodie (Arizona Territory) met at the capitol to organize, elect officers, and confer with the governor.

The seven original Board members from across the territory, including the cities of Tucson, Williams, Clifton, and Prescott, selected Fred Fleishman of Tucson as Board president, T. L. McCutchen of Clifton as vice president, and Arthur G. Hulett of Phoenix as secretary – a position Hulett would hold for the next 26 years. The Board immediately began to establish working committees to prepare for examining and registering pharmacists and “assistant pharmacists.”

On June 17, 1903, the Board granted certificates as licenciates (without a regular examination) to 150 applicants; seven applicants were denied licensure.

On April 10, 1912, the *territorial* Board of Pharmacy became the *State* Board of Pharmacy. Pharmacist legislator J. M. Ball of Bisbee was asked to consult with the Board in making a smooth transition from a territorial board to a “state” board of pharmacy. The first “special” pharmacy inspector was employed in November 1912 and was compensated \$3 per day plus actual railroad fare while on duty.

The Board then, as it is today, was dedicated to protecting the public health relating to the practice of pharmacy and the sale of both prescription and nonprescription drugs. The obvious difference between then and now is the population and subsequent business growth in Arizona. In 1903, Arizona’s population was approximately 125,000; today it is in excess of 5,500,000. The Board of Pharmacy currently has 15 full-time employees and inspects nearly 1,000 Arizona pharmacies, 700 non-pharmacy drug retailers, 100 drug wholesalers, and investigates nearly 100 consumer complaints annually. The present Board consists of five pharmacist and two public members. The Board licenses over 300 new pharmacists per year; many are doctor of pharmacy graduates from our two in-state colleges of pharmacy. Pharmacy today is vastly different from pharmacy in 1903, but the role and mission of the Board remains the same: to protect the public health.

Board of Pharmacy News

At the January 2003 Board of Pharmacy meeting, Board members Paul Draugalis, RPh, and Dennis McAllister, RPh, were elected to serve as president and vice president, respectively, for 2003. Retiring President Bill Jones, RPh, was recognized for his successful term as president and for his leadership role in facilitating emergency prescription refill services for patients in need during the 2002 wildfires in northeastern Arizona.

In mid-January, Governor Janet Napolitano appointed pharmacist Chuck Dutcher of Taylor, Arizona, to succeed Gerald “Jerry”

Ritt on the Board. The Board welcomes Mr Dutcher, who will begin serving his position once the Senate confirms his appointment. In the interim, Jerry Ritt will continue to serve as a member of the Board. It is difficult to summarize Jerry’s contribution and participation as a member of the Board. He served two terms as president; chaired numerous committees, task forces, and focus groups; and unselfishly attended not only regular meetings but also national meetings. Jerry is the epitome of what a “community pharmacist” should be: caring, congenial, conversant, conscientious, committed, both contemporary *and* customary, and cooperative *yet* congruent. He is congenial, concise, and, above all, he is cool, calm, and collected. Jerry, we will collectively miss you, but know full well that you will stay connected both to the Board and the profession. Thanks for a job well done!

Dennis Waggoner, RPh, compliance officer with the Board, recently resigned to accept a position with CareMark Mail Service Pharmacy in Phoenix. The Board and staff will greatly miss Dennis and his outstanding work ethic. The entire staff wishes Dennis success and satisfaction in his new position.

Pharmacist Larry Dick has been selected from a group of very talented applicants as a compliance officer effective February 14, 2003. Mr Dick is a native Arizonan; he received a bachelor of science degree in pharmacy in 1970 and in 1974 received his master of science degree in hospital/clinical pharmacy from the University of Arizona College of Pharmacy. Larry has pharmacy practice and management experience in community, hospital, and home infusion pharmacy. The Board is pleased to have Larry on staff and is confident that his experience and education will be an asset to the public and the agency.

Following the January Board meeting, the entire Board met in Executive Session to begin the process of soliciting applicants to fill the vacancy created by the retirement of Executive Director Llyn Lloyd, who will be retiring June 30, 2003. Having held the position of executive director for more than 17 years, Mr Lloyd has opted to leave state service to pursue personal and family options, and to smell a few roses along the way.

Administrative Rules/Statutes

As reported in the January edition of this *Newsletter*, “drug therapy management” opportunities remain an unfulfilled expectation. At the time this *Newsletter* was written, one participant remains to be named to serve on the review panel. The expectation is that this vacancy will be filled before your read this article. To verify this, you may contact the Board office at 623/463-2727 (ask for Hal Wand) or the Arizona Pharmacy Association office at 480/838-3385 (ask for Kathy Boyle).

The Board has submitted two legislative bills for consideration in this session of the Arizona Legislature. SB 1300 contains only

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the controlled substance changes including scheduling changes: It moves buprenorphine from CV to CIII in conformance with federal changes; adds carisoprodol to CIV; and requires a CII prescription to be filled within 60 days of the day it is written. The time frame for filling a CII prescription is being suggested because there is no federal time line of validity for a CII prescription and guidelines will encourage patients to either fill the prescription the prescriber feels they need in a reasonable time following the date it is issued, or revisit a practitioner for evaluation and issuance of a new prescription.

Substantive changes found in SB 1301 are as follows (amending the practice act): revises the definition of the "practice of pharmacy;" adds a major section requiring licensure to perform as a pharmacy technician in Arizona; adds the necessary language relating to licensure requisites, renewal, discipline, and reinstatement; revises the requirement that pharmacist licenses be placed in public view (to read that a license and current renewal be available for review in the place of practice); amends the generic substitution section by eliminating the two-signature-line prescription format and allowing a prescriber to indicate "Do Not Substitute" or "Dispense as Written" in any manner the prescriber chooses (the same as currently allowed for out-of-state prescriptions). The bill also revises the number of years that prescription records must be maintained from three to seven; this will comply with existing Arizona statutes addressing retention of "medical records" since prescriptions are medical records in Arizona. The bill also defines to whom a pharmacy may provide prescription records and the precautions necessary to prevent prescription records from being given to unauthorized parties.

Both bills have passed the Senate Health Committee; SB 1301 is required to be heard in the Senate Appropriations Committee because it includes fees for technician licensure.

Disciplinary/Reinstatement Actions

Board of Pharmacy

Kristine Wells, RPh, #11976 – license suspended PAPA contract violation, probation/reinstatement per Board Order. **Gary Hinchman, RPh, #7013** – license suspended for 30 days, reinstated with two-year probation effective November 5, 2002, practice site must be approved by Board. **John J. Wells, RPh, #11977** – six-month suspension stayed, two-year probation with various conditions imposed. **Steven Weber, RPh, #8194** – one-year probation plus \$300 fine violation of R4-23-402.A. **Stephen T. Bond, RPh, #7656** – one-year probation plus participation in a minimum of six hours of ACPE-approved CE relating to confidentiality of medical records. **Suzanne M. Waltz, RPh, #10431** – six-month probation plus \$500 fine violation of ARS 32-1968.

Board of Dental Examiners

Daryl B. Potyczka – Prescribing restrictions no longer in effect. **George A. Sullivan, DDS** – Effective January 2, 2003, may not prescribe CII, CIII, or CIV until Board approves.

Board of Osteopathic Examiners

Eugene H. Pardi, DO, #2221 – may **not** prescribe controlled substances until further notice.

The following medical doctors/physician assistants are subjected to prescribing restrictions: **J. E. Murnane III, MD, #17325**, license suspended December 11, 2002; **S. M. Milani, MD, #27255**, no prescribing allowed; **M. E. Logan, MD, #22621**, license summarily suspended; **B. Licup, MD, #15363**, license revoked; **R. A. Hoversten, MD, #29872**, license summarily suspended; **Jeri Hassman, MD, #16132**, cannot prescribe controlled substances; **John Haraldsen, MD, #9467**, cannot prescribe CII or CIII drugs; **Bradley Gilman, MD, #27695**, cannot prescribe CII or CIII drugs; **Lisa Emmans, MD, #29814**, no prescribing privileges; **William M. Cochran, MD, #15469**, license inactive – no prescribing; **A. L. Browne, MD, #14411**, license surrendered; **A. Ashokan, MD, #16974**, license surrendered; **William J. Adamas-Rappaport, MD, #15658**, license inactive; **W. K. Nakagawa, MD, #20760**, license revoked; **David K. Patzer, MD, #26950**, license surrendered; **J. M. Pont, MD, #14308**, license surrendered; **H. H. Robertson, MD, #16275**, no prescribing privileges; **M. Salerno, MD, #25300**, no prescribing privileges; **B. A. Schwartz, MD, #26807**, no prescribing privileges; **Rodney L. Smith, MD, #16325**, no prescribing privileges; **Grigory Sorokin, MD, #27559**, license summarily suspended; and **Karen Yazzie, PA, #2278**, indefinitely suspended.

Notice – Before making a prescription-dispensing decision pursuant to information reported in this issue, you are advised to verify the current status of a license with the appropriate licensing agency.

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Llyn A. Lloyd, RPh - State News Editor
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National Association of Boards of Pharmacy Foundation, Inc.
700 Busse Highway
Park Ridge, Illinois 60068
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